

In response to a telephone requirement for restriction made in connection with the above-identified patent application on November 12, 2002, a provisional election was made to prosecute Group I, claims 1-7. Said provisional election was specifically made with traverse since no basis therefor had been set forth in the written record.

In reply to the November 20, 2002 Restriction Requirement, Applicant confirms that Applicant elects Group I, claims 1-7, with traverse.

It is respectfully submitted that the subject matter of all claims 1-11 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

I. CLAIMS 4 AND 5 SATISFY THE REQUIREMENTS OF 35 U.S.C. §112, SECOND PARAGRAPH

The Office Action rejects claims 4 and 5 under 35 U.S.C. §112, second paragraph, for various informalities. Claims 4 and 5 have been amended to obviate these rejections. Withdrawal of the rejections under 35 U.S.C. §112, second paragraph, is respectfully requested.

II. THE CLAIMS DEFINE ALLOWABLE SUBJECT MATTER

The Office Action rejects claims 1-7 under 35 U.S.C. §102(e) as unpatentable over U.S. Patent No. 5,994,836 to Boer et al. (hereinafter "Boer"). The rejection is respectfully traversed.

Boer does not disclose, teach or suggest an organic electroluminescent element, including, inter alia, a light generated in the organic luminous layer being reflected by the slope of the second electrode layer and going out to the side of the first electrode layer, as recited in independent claim 1.

Further, Boer does not disclose, teach or suggest an organic electroluminescent element comprising, inter alia, the first electrode layer and the second electrode layer having slopes, and the slopes being formed on rim sides of a pixel, as recited in independent claim 2.

Further, Boer does not disclose, teach or suggest, inter alia, the first electrode layer, the second electrode layer and the at least one organic thin film layer having slopes, and all the slopes protruding from the side of the first electrode layer to the second electrode layer, as recited in independent claim 13.

Instead, Boer, in Abstract, column 1, lines 65-67, and in Figure 1, discloses organic light emitting diode structures comprising OLED pixels, each pixel having a bottom electrode 3, a top electrode 9, and an organic electroluminescent emission layer. In contrast to the claimed subject matter, Boer, in Figure 1, discloses an additional layer 5 which is organic step coverage layer 5, disposed of the end portions of the bottom electrode 3.

Further, in Boer, step 13 formed by the bottom electrode does not protrude to the top electrode 9. This is different than the claimed invention, where the first electrode layer, the luminous layer and the second electrode layer have slopes that protrude from the first electrode layer to the second electrode layer.

For at least these reasons, it is respectfully submitted that claims 1, 2 and 13 are distinguishable over the applied art. Claims 3-7, 12 and 14-17, which depend from

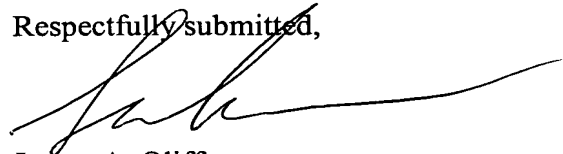
independent claims 1, 2 and 13, are likewise distinguishable over the applied art for at least the reasons discussed above as well as for additional features they recite. Withdrawal of the rejection under 35 U.S.C. §102(e) is respectfully requested.

III. CONCLUSION

For at least the reasons discussed above, it is respectfully submitted that this application is in condition for allowance.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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Attachments:

Appendix
Amendment Transmittal
Information Disclosure Statement with Form PTO-1449

Date: February 20, 2003

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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APPENDIX

Claims 12-17 are added.

Changes to Claims:

The following is a marked-up version of the amended claims:

1. (Twice Amended) An organic electroluminescence element, comprising:
~~a cumulate body having a cathode~~ first electrode layer;
~~an anode~~ second electrode layer; and
~~at least one organic thin film layer containing an organic luminous layer~~
~~disposed between the cathode~~ first electrode layer and the anode second electrode layer,
~~the cathode~~ first electrode layer and the anode second layer defining having
slopes, and
a light generated in the organic layer being reflected by the slope of the second
electrode layer and going out to the side of the first electrode layer.
2. (Twice Amended) ~~The~~ An organic electroluminescence element ~~according~~
~~to Claim 1~~ comprising:
~~a first electrode layer;~~
~~a second electrode layer; and~~
~~at least one organic thin film layer containing an organic luminous layer~~
~~disposed between the first electrode layer and the second electrode layer,~~
~~the first electrode layer and the second electrode layer having slopes, and~~
~~the slopes being formed on rim sides of a pixel.~~
3. (~~Twice~~ Thrice ~~Amended~~) The organic electroluminescence element
~~according to Claim 1~~ 2, the slopes being disposed such that a protruding height of the organic
luminous layer is larger than a thickness of the organic luminous layer.

4. (~~Twice~~ Thrice Amended) The organic electroluminescence element according to claim 1~~2~~, the slopes being disposed such that a protruding height of the organic luminous layer by the slopes is larger than a total value of a thickness of ~~one of the anode- first electrode layer and the cathode layer~~ and a thickness of the organic luminous layer, or a total value of a thickness of the second electrode layer and the thickness of the of the organic luminous layer.

5. (~~Twice~~ Thrice Amended) The organic electroluminescence element according to claim 1~~2~~, the slopes including multiple slopes that are ~~evenly~~ uniformly arranged.

6. (~~Twice~~ Thrice Amended) The organic electroluminescence element according to claim 1~~2~~, the slopes being formed by providing a projection, made of an insulating material, on a substrate forming ~~the~~ a cumulate body of the organic electroluminescence element.

7. (~~Twice~~ Thrice Amended) The organic electroluminescence element according to claim 1~~2~~, the slopes being defined by forming projections on at least one of the ~~anode- first electrode layer and the cathode- second electrode layer~~, the projections corresponding to the slopes.